UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/790,206	03/02/2004	Tokuo Yokota	040095	1030

23850   7590   10/16/2007
KRATZ, QUINTOS & HANSON, LLP
1420 K Street, N.W.
Suite 400
WASHINGTON, DC 20005

EXAMINER
DISTEFANO, GREGORY A

ART UNIT	PAPER NUMBER
2176	

MAIL DATE	DELIVERY MODE
10/16/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _03 August 2007_.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-8_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-8_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _02 March 2004_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

    1.☒ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____.

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   This action is in response to the amendment filed on 8/3/2007.

2.   As per the amendment, claims 5-8 have been added and claims 1-8 are currently pending.

Specification

3.   The previous objection to the title of the invention is hereby withdrawn as per the amendment filed on 8/3/2007.

Claim Objections

4.   The previous objections to claim 1 are hereby withdrawn as per the amendment filed on 8/3/2007.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6.   Claim 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Dinallo et

al. (US 5,929,857), hereinafter Dinallo.

7.   As per claims 1 and 5, Dinallo teaches the following:

        one or more manipulation buttons, (abstract), i.e. the browser engine operates

with a database containing sets of predefined images which depict controls, <u>buttons</u> and

other graphic images that form part of the user menu;

        storing means for storing a plurality of pieces of function information indicating a

function to be performed when the one or more manipulation buttons are manipulated,

(abstract), i.e. a DVD system includes a graphic user interface which is constructed

during information playback from <u>commands</u> and attributes extracted from the <u>DVD data</u>

<u>stream</u>. The examiner would like to further note Dinallo's teaching in column 7, lines

16-25, where they describe the DVD data stream (Fig. 2, #204) as a product of a DVD

player (Fig. 2, #202) generating the data stream from data stored on a DVD disk (Fig. 2,

#200). Furthermore, Dinallo's teaching of "commands" is interpreted to be the function

of the button being generated;

        function specifying means for, with the recording medium placed therein,

specifying function information in conformity with function-specifying information

included in management information recorded on the recording medium from among a

plurality of pieces of the function information stored in the storing means with respect to

each manipulation button, (abstract), i.e. <u>the extracted commands are presented to an</u>

<u>intelligent DVD browser engine</u> which gathers information about <u>the shape and location</u>

of a user menu from the navigation data in the DVD data stream and other sources.

The browser engine operates with a database containing sets of predefined images,

which depict controls, buttons, and other graphic images that form part of the user

menu. The browser engine uses the command information to construct a query in the

database. The query is applied to the database to extract a set of images, which form

the complete user menu. The extracted images are then used to display the menu on a

visual display along with the multimedia information. The examiner interprets this

teaching of Dinallo to encompass applicant's claim in that as Dinallo's "intelligent DVD

browser engine" uses the command information to query a database of controls and

then displays those controls corresponding to the commands;

   means for activating an operation in conformity with the specified function

information with respect to one of the one or more manipulation buttons when said

manipulation button is manipulated with the recording medium placed therein, (column

10, lines 24-27), i.e. button 622 has been selected with a mouse or keyboard and is

therefore illustrated in a different color;

   said recording medium is a DVD having data thereon, (column 7, lines 16-25),

i.e. information on DVD disk 200 is detected and processed by DVD player 202 in a

conventional manner using the aforementioned laser readout arrangement to generate

an electronic data stream 204. The resulting DVD data stream 204 is provided to the

interactive DVD browser engine 206 constructed in accordance with the principles of the

present invention The browser engine 206 contains a parser, which examines the data

stream 204 to extract the navigation commands and attributes.

8.   Regarding claims 2 and 6, Dinallo teaches the apparatus of claims 1 and 5as

described above. Dinallo further teaches the following:

the function-specifying information comprises a plurality of parameters, and the

function specifying means specifies function information based on the plurality of

parameters, (abstract), i.e. the extracted commands are presented to an intelligent DVD

browser engine which gathers information about the shape and location of a user menu

from the navigation data in the DVD data stream and other sources. The browser

engine operates with a database containing sets of predefined images, which depict

controls, buttons, and other graphic images that form part of the user menu. The

browser engine uses the command information to construct a query in the database.

The query is applied to the database to extract a set of images, which form the

complete user menu.

9.   Regarding claims 3 and 7, Dinallo teaches the apparatus of claims 1 and 5 as

described above. Dinallo further teaches the following:

the management information includes an operational parameter and program for

activating a predetermined operation based on a value of the operational parameter,

(column 7, lines 16-25), i.e. information on DVD disk 200 is detected and processed by

DVD player 202 in a conventional manner using the aforementioned laser readout

arrangement to generate an electronic data stream 204. The resulting DVD data

stream 204 is provided to the interactive DVD browser engine 206 constructed in

accordance with the principles of the present invention. The browser engine 206

contains a parser, which examines the data stream 204 to extract the navigation

commands and attributes;

the signal reproducing apparatus comprising:

parameter storing means for storing the operational parameter, (column 2, lines

40-48), i.e. the specific program commands which are recognized by a DVD player are

controlled by a device independent language and a set of DVD player parameters which

define the current state of the DVD player. These commands cause the DVD player to

perform a number of operations, such as generating menu controls at specific locations

on the disp0lay screen. In order to process these commands a DVD player system

typically includes a processor and associated memory;

storage processing means for storing, in the storing means, the operational

parameter included in the management information recorded on the recording medium

with the recording medium placed therein. In column 1, line 49 through column 2, line

51, Dinallo teaches how a DVD player processes a DVD disc by using .IFO files which

contain the navigation data necessary to create menus and instruct the DVD player

which .VOB (or multimedia data) to play;

wherein the means for activating operation activates an operation for rewriting

the operational parameter stored in the storing means when one manipulation button is

manipulated, and the programs included in the management information activates a

predetermined operation in accordance with a value of the operational parameter stored

in the storing means, (column 2, lines 52-64), i.e. Input can also be obtained directly

from a user by means of displayed controls, such as buttons, which can be displayed

under playback program control on screen along with the multimedia data in an

arrangement called a graphic user interface. The playback program controls both the

time duration that a control appears on the screen and the manner that the system

responds to the selection of a contr9l by a user. For example, user selection of a button

may cause the playback program to jump to a new location on the disk and begin

playback at the new location. The <u>playback program may also display menus, which</u>

<u>guide a user through various tasks</u>. The examiner interprets this teaching of Dinallo to

encompass applicant's claim as the DVD player may provide a user with "linked

menus", where a selection of an operation from a first menu will cause the first menu to

be cleared and a second menu, related to the selection, is displayed.

10.   Regarding claims 4 and 8, Dinallo teaches the apparatus of claims 1 and 5 as

described above. Dinallo further teaches the following:

     the reproducing apparatus comprises an information display and display

controlling means for showing on the information display a function indicated by function

information when the function information is specified by the function specify information

is specified by the function specifying means, (abstract), i.e. <u>the extracted commands</u>

are presented <u>to an intelligent DVD browser engine which gathers information about the</u>

<u>shape and location of a user menu</u> from the navigation data in the DVD data stream and

other sources. The browser engine operates with a database containing sets of

predefined images, which depict controls, buttons, and other graphic images that form

part of the user menu. The browser engine uses the command information to construct

a query in the database. The query is applied to the database to extract a set of

images, which form the complete user menu. The <u>extracted images are then used to</u>

<u>display the menu on a visual display</u> along with the multimedia information.

Response to Arguments

11. Applicant's arguments with respect to claims 1-8 have been considered but are

moot in view of the new ground(s) of rejection.

Conclusion

12.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure:

    -Trueblood (US 5,748,499), computer graphics data recording and playback

system with a VCR-based graphic user interface.

    -Carino, Jr. (US 5,754,841), method and apparatus for parallel execution of user-

defined functions in an object-relational database management system.\

*   -Kikuchi et al. (US 5,870,523), recording medium on which a data containing

navigation data is recorded, a method and apparatus for reproducing a data according

to navigation data, a method and apparatus for recording a data containing navigation

data on a recording.

13.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

14.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory A. DiStefano whose telephone number is (571)270-1644. The examiner can normally be reached on 7:30am-5:00pm Mon.-Thurs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on (571)272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

GAD
10/11/2007

                                        /Doug Hutton/
                                        Doug Hutton
                                  Supervisory Primary Examiner
                                   Technology Center 2100